

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 22 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 22 2002 under 68398

The applicant **L & M Family Limited Partnership** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit 30192, Certificate 10745**

1. The source of water is **Underground**
2. The amount of water to be changed **2.73 c.f.s., 612 acre-feet annually**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T.14N., R.25E., MDM, or at a point from which the E $\frac{1}{4}$ corner of said Section 11 bears South 87° 38' East, 762 feet**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, T.15N., R.25E., MDM, or at a point from which the SE corner of said Section 34 bears South 25° 56' 42" East, 3034.87 feet**
7. Proposed place of use **153 ac within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 35, T.15N., R.25E.; W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 2, E $\frac{1}{2}$, portion E $\frac{1}{2}$ W $\frac{1}{2}$ Section 3, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, portions E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 11, T.14N., R.25E., MDM**
8. Existing place of use **See Attached**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump and motor, and irrigation distribution**
12. Estimated cost of works **\$50,000**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **See Attached**

Bruce R. Scott, Resource Concepts, Inc.
By **s/Bruce R. Scott**
340 North Minnesota Street
Carson City, Nevada 89703

Compared my/cmf lb/cmf

Protested 3/22/02 by Robert R. Squires of Sierra Pacific Power;

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 30192, Certificate 10745 is issued subject to the terms and conditions imposed in said Permit 30192, Certificate 10745 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 65096, 65262, 65263, 65264, 65265, 68003, 68399, and any water of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 3,897.42 acre-feet per year for the irrigation of 974.36 acres. The permit holder is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to these permits. In any year the Walker River Irrigation District declares a full allocation of decreed water to the priority years of C-125 decree claims supplemental to these permits, underground water shall not be pumped from the wells described in these permits. In any year the Walker River Irrigation District has no decreed or storage water, or declares a reduced allocation of surface waters to the priority years of C-125 decree claims supplemental to these permits, then water can be pumped from wells for irrigation of the permitted places of use. Irrigation shall not exceed a duty of four acre-feet per year from the total of decreed, storage, and underground waters.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.73 cubic feet per second, but not to exceed 612.0 acre-feet annually, and not to exceed a annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 28, 2004

Proof of completion of work shall be filed before:

September 28, 2004

Water must be placed to beneficial use on or before:

August 28, 2007

Proof of the application of water to beneficial use shall be filed on or before:

September 28, 2007

Map in support of proof of beneficial use shall be filed on or before:

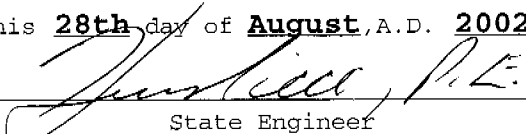
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of August, A.D. 2002


State Engineer

Completion of work filed SEP 28 2004

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Item 8 – Existing Place of Use

SW $\frac{1}{4}$ SW $\frac{1}{4}$ (36 ac), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (37 ac), Section 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (38 ac), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (38 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (39 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (39 ac) Section 34, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (38 ac) Section 35, T.15 N., R.25 E., MDM 303 acres total. The 153 acres (remaining after change under Permit 58755) to be removed from irrigation in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (38 ac), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (39 ac) Section 34, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (38 ac) Section 35, T.15 N., R.25 E., MDM.

Item 15 - Remarks:

This application proposes to change the remaining 153 water rights acres under Permit 30192 to a new well location. The total acreage irrigated with groundwater under this application, the application being filed concurrently to change the remaining portion of Permit 65096, Permits 65262 through 65265, and Permit 68003 will be limited to 974.36 acres within the proposed place of use.

Use Proof of Beneficial Use map filed at the Division of Water Resources for Permit 30192 to support the existing point of diversion and place of use.